

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

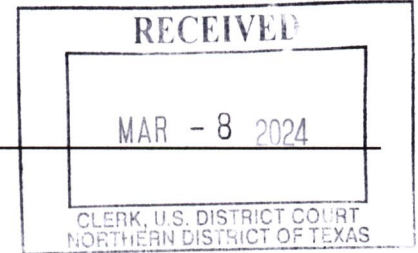
for the

NORTHERN

District of

DALLAS COUNTY

3RD Division

**3-24CV-660-K****JULISSA RUBIO**

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

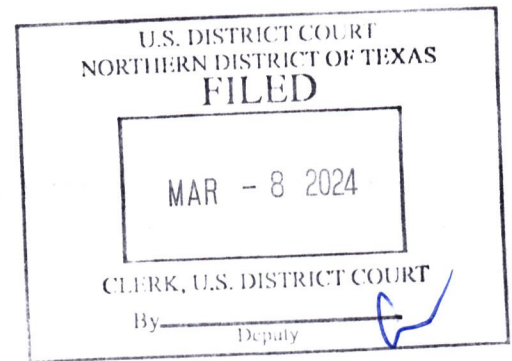
WINGSTOP GSR RESTAURANT**PERLA SALGADO****LORENA GUDINO**

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. _____

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

THIS IS BEING BROUGHT UNDER THE FCA FEDERAL TEXAS

WHISTLE BLOWER FALSE CLAIMS ACT (FCA), 31 U.S.C AS WELL AS THE
ACLU V. HOLDER, 673 F.3d 245 (4th cir.2011) 1ST AMENDMENT.

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>JULISSA RUBIO</u>
Street Address	<u>1909 W WALNUT ST APT #B</u>
City and County	<u>GARLAND</u>
State and Zip Code	<u>TEXAS, 75042</u>
Telephone Number	<u>214-861-7132</u>
E-mail Address	<u>SELFMADE2023@OUTLOOK.COM</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	<u>WINGSTOP GSR</u>
Job or Title (<i>if known</i>)	<u>FRANCHISE BUSINESS IN TEXAS</u>
Street Address	<u>2334 W BUCKINGHAM SR STE #330</u>
City and County	<u>GARLAND</u>
State and Zip Code	<u>TEXAS 75042</u>
Telephone Number	<u>972-494-4884</u>
E-mail Address (<i>if known</i>)	<u>ARG.RKAGRAWAL@GMAIL.COM</u>

Defendant No. 2

Name	<u>LORENA GUDINO</u>
Job or Title (<i>if known</i>)	<u>FORMER GENERAL MANAGER AT SAID LOCATION</u>
Street Address	<u>2334 W BUCKINGHAM RD STE#330</u>
City and County	<u>GARLAND</u>
State and Zip Code	<u>TEXAS 75042</u>
Telephone Number	<u>214-257-63333</u>
E-mail Address (<i>if known</i>)	<u>LORENAGBALDERAS@GMAIL.COM</u>

Defendant No. 3

Name	<u>PERLA SALGADO</u>
Job or Title (<i>if known</i>)	<u>SUPERVISOR</u>
Street Address	<u>2334 W BUCKINGHAM RD STE #330</u>
City and County	<u>GARLAND</u>
State and Zip Code	<u>TEXAS 75042</u>
Telephone Number	<u>469-563-0583</u>
E-mail Address (<i>if known</i>)	<u>WINGSPSALGADO@GMAIL.COM</u>

Defendant No. 4

Name	<u>N/A</u>
Job or Title (<i>if known</i>)	<u>N/A</u>
Street Address	<u>N/A</u>

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) LORENA GUDINO, is a citizen of
the State of (name) TEXAS. Or is a citizen of
(foreign nation) (UNKNOWN).

b. If the defendant is a corporation

The defendant, (name) WINGSTOP GSR RESTAURANT, is incorporated under
the laws of the State of (name) TEXAS, and has its
principal place of business in the State of (name) TEXAS.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) GARLAND TEXAS/DALLAS COUNTY.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

THE COMPENSATION FOR LOSS OF INCOME, WAGES, AND BENEFITS LOST AS A RESULT OF THE RETALIATION.
PUNITIVE DAMAGES, (IF PRESENT) FOR ATTORNEY'S FEES AND FOR ALL THREE OF SAID INCIDENTS WERE IN FACT VIOLATED
WITH DOCUMENTATION PRESENT OF PLAINTIFF FACING HARASSMENT IN THE WORKPLACE. EMPLOYEE REPORTED THE INCIDENT, AND
WAS PUNISHED FOR IT, WHERE SHE THEN FACED AN UNETHICAL PUBLIC DEMOTION WITHIN THE COMPANY GROUP CHAT, THE ACT
OF HARASSMENT OF WANTING TO TRANSFER EMPLOYEE ON 2 SEPERATE OCCASIONS FOLLOWING THE ORAL GRIEVANCE WITH
SUPERVISOR AND REDUCED HRS. AND FINALLY GETTING FIRED WITHOUT JUSTIFICATION.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

DEFFENDANT LORENA GUDINO> IN DIRECT VIOLATION OF THE WINGSTOP COMPANY POLICY CODE CNL, WINGS XL INC. POLICY #4, PG6
AS WELL AS RETALITORY REDUCTION IN HRS. UNJUST DEMOTION AND DISMISSAL, CONTRADICTING THE WRITE UP AND REASON
GIVEN FOR FIRING EMPLOYEE RUBIO FOR "NO CALL NO SHOW" AND WRITING THE STATEMENT WHERE GUDINO ADMITS THAT RUBIO
IN FACT DID "CALL HER" NOTIFYING GUDINO THAT RUBIO WAS ALREADY IN THE PARKING LOT.
DEFFENDANT PERLA SALGADO> IN DIRECT VIOLATION OF INITIAL EMPLOYMENT AGREEMENT ATTEMPTS TO TRANFER PLAINTIFF FOLLOWING THE
GRIEVANCE CONSTITUTE RETALIATION IN CONTRAVENTION OF U.S. CODE § 1513 AS WELL AS THE SARBANES-OXLEY ACT OF 2002 CODE OF
BUSINESS CONDUCT & ETHICS (SECTION 406) THE REPORTING PROCESS. FAILURE TO TAKE ANY MEASURES TO ADDRESS THE MISCONDUCT.
WORKPLACE HARASSMENT, EMPLOYEE WAS SINGLED OUT FROM 3 OTHER MANAGER'S FOR SAID TRANSFER.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I REQUEST THE COURT TAKE INTO CONSIDERATION THE BURDEN OF PROOF AND DOCUMENTATIONS THAT I HAVE ATTACHED AND THE TIME LINE WHERE THE UNJUSTLY JUSTIFICATIONS FOLLOWED AS A RESULT OF THE SUBSEQUENT EVENTS THAT UNFOLDED RIGHT AFTER I SPOKE UP TO SHED LIGHT ON THE HARASSMENT AND BULLYING THAT MY CO-WORKER MS. AYALA ULTIMATLEY FACED AT THE HANDS OF LORENA GUDINO. I SEEK THE RELIEF UNDER THE (FCA) FALSE CLAIMS ACT THAT PROTECT THE WHISTLE BLOWERS AGAINST ANY RETALIATION MADE AGAINST AN EMPLOYEE. AYALA RESIGNED AS A RESULT OF THE CONSTRUCTIVE DISMISSAL BUT WHEN THAT TACTIC DIDNT WORK ON ME I WAS EVENTUALLY "LET GO" WITH NO F ACCOUNTABILITY AND ADHERENCE TO LEGAL STANDARDS IN THE WORKPLACE.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/03/2024

Signature of Plaintiff

Printed Name of Plaintiff


JULISSA RUBIO

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

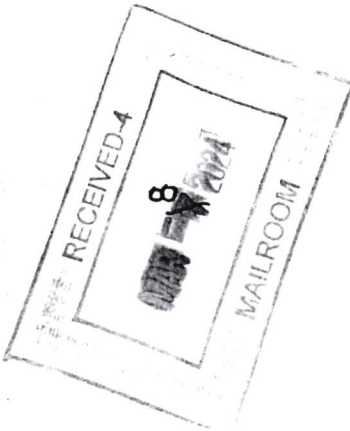
Bar Number

Name of Law Firm

Street Address

State and Zip Code

Julissa Rubio
1909 W. Walnut St #B
Garland TX 75042



District Clerk
Dallas Division 3
1100 Commerce St. Rm 1452
Dallas TX, 75242

NORTH TEXAS TX P&DC
DALLAS TX 750
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